

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
LUFKIN DIVISION

ASHLEY CUNNINGHAM

§

v.

§

CIVIL ACTION NO. 9:10cv148

COMMISSIONER, SOCIAL SECURITY  
ADMINISTRATION

§

ORDER ADOPTING REPORT AND  
RECOMMENDATION OF UNITED STATES  
MAGISTRATE JUDGE

The Report and Recommendation of the Magistrate Judge, which contains her findings, conclusions, and recommendation for the disposition of this action, has been presented for consideration. The Report and Recommendation recommends that action be **REVERSED** and **REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g) for further consideration of the medical source statement of Dr. Ramsey contained in the medical evidence of record and whether Plaintiff's migraines are equivalent to Listing 11.03. No written objections have been filed. The findings and conclusions of the Magistrate Judge are therefore adopted as those of the Court. In light of the foregoing, it is

**ORDERED** that the action is hereby **REVERSED** and **REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g) with instructions for further consideration consistent with the findings above. It is further

**ORDERED** that any motion not previously ruled on is **DENIED**.

So **ORDERED** and **SIGNED** this **31** day of **July, 2012**.



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Ron Clark, United States District Judge